

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION

IN RE: CLERIN JESSE TATE) CHAPTER 13
JOAN LEE TATE) Case No.: 14-70139
Debtors.)

MOTION TO BIFURCATE

Come now the debtors, Clerin Jessee Tate and Joan Lee Tate, by counsel, and move this Court to enter an Order bifurcating the above case into two individual Chapter 13 cases. The debtors wish to proceed in bankruptcy with individual cases. Clerin Jessee Tate, upon deconsolidation of the cases, asks the Court to convert his proceeding to a Chapter 7 case. Joan Lee Tate, upon deconsolidation of the cases, asks the Court to dismiss her Chapter 13 proceeding.

WHEREFORE, the debtors, Clerin Jessee Tate and Joan Lee Tate pray that their bankruptcy case be bifurcated. Clerin Jessee Tate further moves the Court to convert his proceeding to a Chapter 7 case and Joan Lee Tate further moves the Court to dismiss her Chapter 13 proceeding.

NOTICE OF HEARING

PLEASE TAKE NOTICE that on the 16th day of September, 2015 at 10:30 a.m., the debtors will appear before the Judge of this Honorable Court in Abingdon, Virginia, and move to have their case bifurcated. Please be present if you wish to be heard.

CLERIN JESSEE TATE
JOAN LEE TATE
-by counsel-

/s/ John M. Lamie
John M. Lamie (VSB #20109)
Counsel for the Debtors
BROWNING, LAMIE & GIFFORD P.C.
P. O. Box 519
Abingdon, VA 24212

CERTIFICATE

I, John M. Lamie, hereby certify that I have by ECF filing transmitted a true and correct copy of the foregoing Motion to Christopher T. Micale, Chapter 13 Trustee, and by regular mail to the debtors and to all listed creditors this the 17th day of August, 2015.

/s/ John M. Lamie
John M. Lamie